

House International Relations and Economic Development Committee
86th Texas Legislature
Interim Charge 1 Request for Information

Response from Texas Workforce Commission

Interim Charge 1: Monitor the agencies and programs under the Committee's jurisdiction and oversee the implementation of relevant legislation passed by the 86th Legislature. Conduct active oversight of all associated rulemaking and other governmental actions taken to ensure intended legislative outcome of all legislation, including the following:

HB 680, which relates to reporting requirements for the Texas Workforce Commission (TWC) and local workforce development boards regarding the provision of child care. Monitor the TWC's and local workforce development boards' reporting of certain metrics related to the type and quality of child care being provided. Examine the information provided by the TWC to recommend strategies to increase access and participation in the Texas Rising Star program.

House Bill 680 included provisions to help increase the availability of high-quality child care and to make more data about the Texas Workforce Commission's (TWC) subsidized child care program available to legislators and the public. Specific provisions of the bill included:

1. Amending [Texas Government Code §2308.317](#) regarding the professional development opportunities for child care providers that Boards provide.

TWC is amending its Child Care rules to direct Local Workforce Development Boards to consider how they structure their professional development opportunities, so they align with Texas Rising Star, and to consider structuring them to contribute to the requirements for attaining a credential, certification, or degree. TWC published a [Policy Concept](#) on these changes on June 23, 2020 to solicit feedback. TWC plans to introduce the proposed rules on October 6, 2020 and to have final rules go into effect on February 8, 2021.

2. Amending [Texas Labor Code §302.0042](#) to require TWC to report more data regarding the Texas Rising Star program.

House Bill 680 requires TWC to annually report on Texas Rising Star metrics, and to include this information in the Evaluation of the Effectiveness of Child Care report submitted to the Legislature prior to each legislative session. TWC will include this new information in the next published report in January 2021.

Additionally, to make this information more readily available to all interested stakeholders, TWC has established a new webpage – [Child Care by the Numbers](#). The site includes monthly and annual child care program data from each Local Workforce Development Board and at the state level, including Texas Rising Star data. TWC will continue to build out on this website to provide more enhanced data. The next planned iteration will be available in December 2020 and will include data by Texas Rising Star star levels.

3. Amending [Texas Labor Code §302.0043](#) to:

- a. Require TWC to coordinate with TEA to assign the TEA unique student identification number from the Public Education Information Management System (PEIMS #) to children under age 6 receiving subsidies.

TWC and TEA have successfully tested a new application interface and process to assign these IDs. TWC trained Local Workforce Development Board staff in early August 2020 on this new interface, including training on how to resolve “near match” exceptions. The project will be fully deployed on September 1, 2020. All children under age six, who are currently in care and those who enroll in care going forward, will be assigned an ID. TWC issued Workforce Development Letter (WD) 16-20 in August 2020 regarding this change.

- b. Work with the Texas Education Agency (TEA) and schools on prekindergarten coordination efforts.

TWC is focused on how we can expand the availability of prekindergarten (pre-k) partnerships. House Bill 3, passed by the 86th Texas Legislature, requires school districts to provide full-day pre-k to eligible four-year-old children and also instructs school districts to develop partnerships with community based child care programs to expand the availability of pre-k without the need to build additional school infrastructure.

TWC created a new state position to serve as a special advisor to help develop prekindergarten partnerships, to coordinate with TEA, and to facilitate the expansion of these models. TWC created a new [webpage](#) to provide information on pre-k partnerships and various tools to facilitate partnerships, such as a pre-k cost calculator for child care programs. In addition, TWC continues to provide information to Local Workforce Development Boards to ensure they have the operational guidance necessary to coordinate child care services with pre-k. TWC worked closely with TEA to review and provide input to their [TEA Partnership Guidebook](#), which TEA issued to Education Service Centers. TWC also distributed this Guidebook to Local Workforce Development Boards through [Technical Assistance Bulletin 297](#). TWC also provided input on TEA’s waiver process for school districts who were unable to implement full-day pre-k programs. TWC and TEA continue to work closely to develop various data sets to share with Local Workforce Development Boards and other stakeholders to better understand pre-k needs in local communities.

Prior to COVID-19, TWC and TEA had also scheduled a Prekindergarten Partnership Summit, which was scheduled to take place on March 30-31, 2020. Staff from all Local Workforce Development Boards and Education Services Centers (ESCs) were scheduled to attend this Summit to learn more about opportunities to expand partnerships within their areas. TWC also planned to solicit input from ESCs and independent school districts in attendance on issues of concern. Unfortunately, due to COVID-19, this Summit was postponed. TWC and TEA also had

several joint pre-k partnership presentations and trainings scheduled throughout 2020, which also had to be postponed.

c. Expand Texas Rising Star child care provider participation.

TWC is currently undergoing a comprehensive review of the Texas Rising Star quality rating improvement system. This comprehensive review is required to take place at least every four years. TWC convened a workgroup, and on July 14, 2020 published a Policy Concept on the [Texas Rising Star Workgroup recommendations](#). TWC is currently reviewing the comments.

The Policy Concept includes several changes that are intended to enhance and improve Texas Rising Star, building a continuous quality improvement framework, and minimizing the impact of licensing deficiencies that are not critical. TWC hopes that these changes, which are designed to help support a provider's growth and not financially penalize a provider for minimal licensing deficiencies, will create additional motivation for providers to participate.

In addition, the Policy Concept considers the establishment of an entry-level rating into Texas Rising Star. The workgroup recommended that TWC establish long-term goals to increase the number of providers participating in Texas Rising Star.

As of August 31, 2020, TWC plans to introduce the proposed rules on October 6, 2020 and to have final rules go into effect on February 8, 2021.

4. Amending [Texas Labor Code §302.00435](#) to ensure regular opportunities for stakeholder input.

TWC's three-member Commission adopted a [policy](#) to promote opportunities for child care stakeholders to provide input. This policy is outlined on the Child Care & Early Learning [webpage](#). TWC has established several distribution lists that stakeholders can sign up for to receive Child Care & Early Learning updates so stakeholders can remain updated on TWC child care issues. TWC has also engaged in several specific stakeholder engagement strategies:

- [Texas Rising Star Workgroup](#): developed to provide input to TWC in our comprehensive four-year review of Texas Rising Star. It is made up of 8 child care providers, 3 child care stakeholder organizations, 3 additional state agencies/universities, and 3 Local Workforce Development Board representatives.
- Regional Texas Rising Star Meetings: 7 regional meetings to gather feedback on issues being considered as part of the Texas Rising Star comprehensive four-year program review
- Prekindergarten Stakeholder Conference Calls: monthly calls with stakeholders interested in supporting the develop of local pre-k partnerships between Texas Rising Star providers and schools
- COVID-19 Child Care Provider Stakeholder Meeting: approximately 50 child care directors/owners were invited, and about 30 participated in a meeting to solicit feedback on the impacts of COVID-19. TWC also participated in other calls and meetings in response to specific requests from Local Workforce Development Boards and child care providers.

- Engaging with Stakeholders through the Governor’s Frontline Child Care Task Force
 - Misc. Board Workgroups: ex. Board Workgroup to develop Contracted Slots Policy Concept
 - Education Services Centers/Independent School Districts: *postponed*. TWC had also planned to solicit input from ESCs and independent school districts attending the Pre-K Partnership Summit on issues of concern. However, due to COVID-19, this Summit was postponed.
 - Texas Early Childhood Learning (TECL) Summit: *postponed*. TWC had also planned to solicit input from all attendees of the TECL Summit on issues of concern, including existing health and safety rules and regulations which could be more efficient or less costly without reducing health and safety outcomes. However, due to COVID-19, this Summit was cancelled.
5. Amending [Texas Labor Code §302.0461](#) to allow Boards to enter into “contracted slots” models with child care providers.

In addition to the above data-related charges, HB 680 also included provisions to increase access to high-quality child care through the use of contracted slots models. TWC published a [Policy Concept](#) on these changes on June 23, 2020 to solicit feedback. TWC plans to introduce the proposed rules on October 6, 2020 and to have final rules go into effect on February 8, 2021. Staff has worked closely with a Local Workforce Development Board workgroup to develop the proposed rules and to shape operational guidance for Boards that choose to implement contracted slots models. TWC is developing a training webinar and implementation plan to help Boards meaningfully increase the supply of quality programs through contracted slots models. Additionally, TWC is in the process of implementing the necessary changes to its data system to allow Boards to track available contracted slots and issue payments to providers for reserved slots. TWC expects this project to be completed in January 2021.